

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

Bail Appl..No. 6494 of 2007(M)

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(CRIME NO. 161/2007 OF KENICHIRA POLICE STATION)**

PETITIONER/ACCUSED

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MUHAMMED RAFEEQUE, S/O. UNNI MOIDEEN,
PAITHUNGAL HOUSE, MARIYANADU,
PAMBRA, IRULAM AMSOM.**

BY ADV. SRI.RAJESH VIJAYAN

RESPONDENTS:

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STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

R.BASANT, J.

B.A.No.6494 of 2007

Dated this the 24th day of October 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Section 376 I.P.C. The crux of the allegations is that the de facto complainant was induced to have sexual relationship with the petitioner on his promise to marry her. She became pregnant in such relationship. The petitioner refuses to abide by his promise to marry her. It is in these circumstances that the allegation of rape is raised against the petitioner. The petitioner was arrested and remains in custody from 30/09/2007.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007